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3763

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William P. Van Antwerp et al. Examiner: Laura A. Bouchelle
Serial No.: 10/035,831 Group Art Unit: 3763
Filed: December 28, 2001 Docket: 047711-0273
Title: STABILIZING CATHETER FOR PROTEIN DRUG DELIVERY

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail with sufficient postage, in an envelope addressed to: Commissioner for Patents, Alexandria VA 22313 on February 3, 2006.

By: _____

Richard Ruggiero
Richard. Ruggiero

Mail Stop: Amendment
Commissioner for Patents
Alexandria, VA 22313
Sir:

We are transmitting herewith the attached:

- ☒ Information Disclosure Statement Transmittal
- ☒ Form PTO/SB/08
- ☒ Copy of European Search Report
- ☒ Return postcard

Please charge any fees associated with this transmittal to Deposit Account No. 50-0872.

Date: February 3, 2006
FOLEY & LARDNER LLP
2029 Century Park East
35th Floor
Los Angeles, CA 90067-3021
1-310-277-2223 Office
1-310-557-8475 Fax

By: _____

Ted Rittmaster
Name: Ted Rittmaster
Reg. No.: 32,933
TRR/rsr



Atty. Dkt. No. 047711-0273

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William P. Van Antwerp et al.
Title: STABILIZING CATHETER FOR
PROTEIN DRUG DELIVERY
Appl. No.: 10/035,831
Filing Date: 12/28/2001
Examiner: Laura A. BOUCHELLE
Art Unit: 3763

<p><u>CERTIFICATE OF MAILING</u> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p>Richard Ruggiero (Printed Name)</p> <p><i>Richard Ruggiero</i> (Signature)</p> <p>February 3, 2006 (Date of Deposit)</p>
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INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

The undersigned hereby states in accordance with 37 CFR §1.704(d) that each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

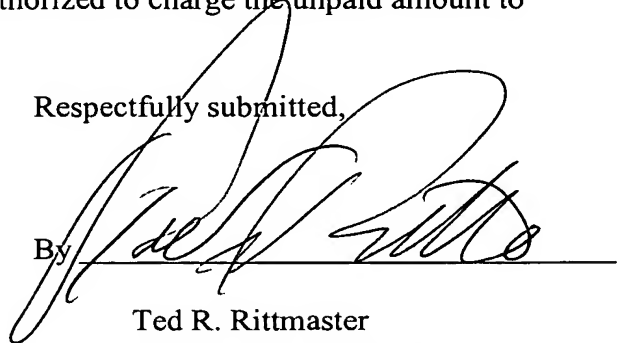
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date

February 3, 2006

By

A large, stylized handwritten signature in black ink, appearing to read 'Ted R. Rittmaster', is written over a horizontal line.

FOLEY & LARDNER LLP
Customer Number: 23392
Telephone: (310) 975-7963
Facsimile: (310) 557-8475

Ted R. Rittmaster
Attorney for Applicant
Registration No. 32,933

Substitute for form 1449B/PTO
Complete if Known

<div style="border: 1px solid black; border-radius: 50%; padding: 10px; display: inline-block; transform: rotate(-15deg);"> COPIES FEB 08 2006 PTO </div> <p>Substitute for form 1449B/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>Date Submitted February 3, 2006</p> <p>(Use as many sheets as necessary)</p>	<p style="text-align: center;">Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 35%;">Application Number</td> <td>10/035,831</td> </tr> <tr> <td>Filing Date</td> <td>12/28/2001</td> </tr> <tr> <td>First Named Inventor</td> <td>William P. Van Antwerp et al.</td> </tr> <tr> <td>Group Art Unit</td> <td>3763</td> </tr> <tr> <td>Examiner Name</td> <td>Laura A. Bouchelle</td> </tr> <tr> <td>Attorney Docket Number</td> <td>047711-0273</td> </tr> </table>	Application Number	10/035,831	Filing Date	12/28/2001	First Named Inventor	William P. Van Antwerp et al.	Group Art Unit	3763	Examiner Name	Laura A. Bouchelle	Attorney Docket Number	047711-0273
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Examiner Name	Laura A. Bouchelle												
Attorney Docket Number	047711-0273												

[illegible][illegible]

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A5	Supplementary European Search Report as dated January 13, 2006	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

Standard ST. 9. For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.
 *Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. *Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C.

LACA 727395.1